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RUEHML/AMEMBASSY MANILA PRIORITY 1731
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 1499
RUEHKO/AMEMBASSY TOKYO PRIORITY 1056
RUEHCI/AMCONSUL KOLKATA PRIORITY 3507
RUEATRS/DEPT OF TREASURY WASHINGTON DC PRIORITY
RHMFSS/DEPT OF HOMELAND SECURITY WASHINGTON DC PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 2699
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RHMFSS/CDR USPACOM HONOLULU HI PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 001042

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BT, JA, NP

SUBJECT: NEPAL: FOREIGN MINISTER AGREES TO RAISE PENDING
ADOPTIONS IN CABINET

REF: KATHMANDU 925

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d)

Summary

¶11. (C) In response to a request from the Ambassador, Foreign Minister Pradhan agreed May 24 to raise the U.S. interest in a speedy process for parents with pending Nepali adoptions with Maoist Minister for Women, Children and Social Welfare Biswokarma and in the cabinet. At the same time, the Ambassador affirmed the strong U.S. support for reform of the adoption process. With respect to the Bhutanese refugees, Foreign Minister Pradhan and the Ambassador concurred that the Royal Government of Bhutan appeared unwilling to repatriate any. The Ambassador noted that he would be traveling to the refugee camps on May 25 for the day. The Ambassador also informed the Minister that Japanese Ambassador Hiraoka had told him the Melamchi fiasco could jeopardize Japan's continued grant assistance to Nepal. The United States had an interest in the Asian Development Bank supporting the Melamchi water project for the Kathmandu Valley, but no interest in promoting the agenda of Maoist Minister for Physical Planning Yami. Pradhan agreed that Yami should not be allowed to hold the entire government hostage and said the cabinet would be considering next steps.

Foreign Minister Agrees To Raise Adoptions

¶12. (SBU) At a meeting May 24, the Ambassador explained to Foreign Minister Sahana Pradhan that over the past 4-5 years, German, French and U.S. parents, along with Spanish and Italians, had been adopting large numbers of children in Nepal. The U.S. and the other adopting countries were strongly in favor of reform and understood the recent decision by Maoist Minister for Women, Children and Social Welfare Khadga Biswokarma to suspend adoptions pending reform

of the process (reftel). The French and German Governments had already suspended Nepali adoptions because of concerns about fraud and the lack of transparency. The Ambassador noted that he had raised the same issues of fraud and lack of transparency with the previous Minister for Women and Children, Urmila Aryal. He stated that he had been pleased to learn then that legislation had been introduced to bring Nepal's adoption procedures into compliance with international norms. The U.S. concern was for parents who had adoptions pending at the time of Minister Biswokarma's decision. The Ambassador's request was for some sort of speedy process to review the cases for these parents, who had made considerable emotional investments in the children, and move forward. Otherwise, they would have to go back to square one. Minister Pradhan expressed sympathy and agreed to raise the U.S. request with Minister Biswokarma and in the cabinet.

Bhutanese Refugee Resettlement Moving Forward

¶ 13. (C) The Ambassador and the Foreign Minister spoke at length about U.S. plans for resettlement of Bhutanese refugees. The Ambassador revealed that only days' earlier the United States had selected the International Office of Migration (IOM) to be the implementing partner for the resettlement program. IOM would open an office in Kathmandu in July and was expected to open an office in Jhapa District near the camps in mid-September. It would begin processing cases which the UN Office of the High Commissioner for Refugees (UNHCR) had referred at that time. The U.S. expectation was that by January 2007 officials of the U.S.

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Department of Homeland Security would issue the first transportation letters. The U.S. was still working out the details with the Government of Nepal (GON), specifically the Home Ministry, on procedures, particularly on expedited exit permits. But, the Ambassador added, the process was moving ahead smoothly. The Foreign Minister agreed.

Minister Poses Questions About U.S. Criteria

¶ 14. (C) The Ambassador reaffirmed that the U.S. would not discriminate in its selection of refugees for resettlement based on age or education. He stressed that families would be kept together, but no one would be compelled to resettle. The disqualifications from resettlement were the ones one would expect. Was the applicant a criminal? Had he or she engaged in political violence? The Ambassador noted that all the refugees would receive a complete medical exam (which IOM would arrange). There were also medical criteria, the most important of which concerned tuberculosis. The good news was that this was not a permanent disqualification, but refugees found to have TB would have to undergo treatment in Nepal before qualifying for resettlement. Regarding training in the U.S., the Ambassador said that non-governmental organizations would have the principal responsibility. Perhaps the biggest question was how the initial batch of refugees would be selected. The Ambassador admitted that no decision had yet been made, but, in consultation, with UNHCR, the most likely outcome was that the people with special needs, who were at the greatest risk, would get priority.

U.S. Process To Be Transparent As Possible

¶ 15. (C) The Ambassador said that the U.S. goal was that the process be as transparent as possible. The U.S. had recently put out a fact sheet answering many of the commonly asked questions about the resettlement program, and the Ambassador said he planned to visit the refugee camps himself May 25 to meet with refugee leaders and answer questions. UNHCR also planned to conduct its own information program about resettlement in the camps. The U.S. had indicated that

60,000 refugees was a floor, not a cap, to its program. With the addition of resettlement pledges by other Core Group countries, there was reason to believe that every refugee who wished to resettle abroad would be able to do so. The Ambassador and the Foreign Minister agreed that it was regrettable that the Royal Government of Bhutan did not appear to be willing to repatriate any of the refugees. The Ambassador emphasized, however, that resettled refugees would not lose their right to seek repatriation in Bhutan and would likely quickly form a powerful lobby in the U.S. The U.S. would continue to urge Bhutan to take back at least some of the refugees and to press the Government of India to use its considerable influence in Thimpu toward the same end.

Concern Over Mishandling of Melamchi Project

¶16. (C) The Ambassador informed Minister Pradhan that Japanese Ambassador Tsutomu Hiraoka had told him earlier on May 24 that Japan's continued grant assistance to Nepal could be jeopardized by the GON's mishandling of the Melamchi water project (septel). As the biggest shareholders in the Asian Development Bank, Japan and the United States wanted the ADB's USD 165 million loan to the Melamchi to proceed if possible. Clearly, there was a need for improved water management in the Kathmandu Valley. At present, the supply of water was less than one third of the demand. But neither country had an interest in promoting the agenda of Maoist Minister for Physical Planning Hisila Yami. How was it

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possible, the Ambassador asked, that one minister could hold up the entire process by refusing to give a contract for water management, approved by the cabinet per the tender, to the private British firm that was selected. Severn Trent had admittedly been the sole bidder, but there was no evidence that Nepal had the domestic capacity to handle the task. Pradhan agreed that Yami should not be allowed to jeopardize this project and said the cabinet would be considering next steps.

Comment

¶17. (C) Foreign Minister Pradhan is still learning her brief, but she is smart and wants to be helpful. She seemed genuinely appreciative of the Ambassador's explanation of details of the U.S. refugee resettlement program and reaffirmed her support for that process. It is a pity Pradhan does not carry more clout within her party, the Communist Party of Nepal - United Marxist Leninist.

MORIARTY